

Minutes
Village of Orchard Park
Board of Trustees

The regular meeting of the Board of Trustees of the Village of Orchard Park was held on Monday, October 27, 2025 in the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York. Mayor Clinton called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the Flag.

Members present:

Mayor Jo Ann Litwin Clinton
Trustee Matthew J. Hartung
Trustee Dale T. Pyne
Trustee David N. Even
Trustee Christine M. Popek

Others present:

Clerk-Treasurer Heather Tucciarone-Richeal
Manager of Public Works Emery Wittmeyer
Code Enforcement Officer John Gullo

Mayor Clinton made the following announcement:

“Fire exits are located at the rear in the Board Room and at the doorway to the lobby. In the event of a fire, you will be notified by announcement on the public address system. If notified, please move in a calm and orderly fashion to the nearest exit.”

A public hearing was scheduled and advertised for this time to hear public comment on the use of Community Development Block Grant funds.

Mayor Clinton opened the hearing at 7:01 p.m. and explained that the purpose of this hearing is for citizens to provide input and share ideas for possible projects which would benefit low- and moderate- income persons in the Village of Orchard Park.

Mayor Clinton listed previously funded projects including ADA Parking Improvements in 2017 and Sensory Crosswalk Improvements in 2020.

Mayor Clinton opened the floor to public comment and asked if there was anyone that would like to speak on a possible project. There were none.

Mayor Clinton then proposes that the Village of Orchard Park rank the Rural Transit Service as the number one project.

Mayor Clinton asks three times for positive comments on the proposed project. There were none.

Mayor Clinton asked three times for negative comments on the proposed project. There were none.

Moved by Trustee Popek, seconded by Trustee Even to close the hearing at 7:02 p.m.

On the question: 4 voting “Aye” 0 voting “Nay” Carried

Trustee Hartung
Trustee Pyne
Trustee Even
Trustee Popek

Moved by Trustee Hartung, seconded by Trustee Pyne to authorize Mayor Clinton to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project upon approval of ECCDBG:

1. Rural Transit Service, Inc.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Pyne, seconded by Trustee Hartung to re-open the public hearing concerning the Special Use Application for 4493 S Buffalo Street, LLC.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Mayor Clinton opened the floor to public comment and asked if there was anyone who would like to speak further on the project.

- Anthony Pandolfe, Project Engineer for Carmino Wood Design, stated that in his letter addressed to the Village Board on October 8, 2025, the developer is going to maintain the existing mature tree line. Many of those trees would need to be removed in order to install a fence, the trees and shrub rows provide more privacy. He also noted, specifically for the residents on Highland Ave., there is approximately 120 ft. wide buffer in addition to 80 ft. from the southern end of the South Buffalo Street property line to the neighboring properties. This creates roughly 200 ft. of space from the proposed building to the back of the homeowner's property line.

There were no other questions or discussion from the Village Board.

Clerk-Treasurer Richeal read into record two (2) letters received by the Clerk's office:

- Rich and Jody Potter, 59 Highland Ave., expressed their concerns with traffic, noise, privacy and security. They are requesting a fence with tall shrubs be added to secure privacy and sustain appearance.

- Pauline Tripodi, 55 Highland Ave., is opposed to adding additional buildings. She is concerned with decreased property value, security issues, increased noise and lack of privacy. She also requested that a fence be installed along with trees and shrubs facing the neighboring backyards.

Moved by Trustee Even, seconded by Trustee Popek to closed the public hearing at 7:12 pm.

On the question:	4 voting “Aye”	0 voting “Nay”	Carried
	Trustee Hartung		
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

Moved by Trustee Hartung, seconded by Trustee Pyne, that the Village Board of Trustees hereby approves the Special Use Application submitted by 4493 S. Buffalo Street, LLC for the construction of two (2) additional Multiple Dwelling Units consisting of a total of fourteen (14) dwelling units located at 4493 S. Buffalo Street.

The Village Board has reviewed the application, discussed the concerns raised by nearby residents with the developer, and notes that the property owner has established appropriate tenant screening measures.

The Village Board further expresses its preference that the existing tree line be maintained to provide continued privacy and natural screening for neighboring properties, and finds that the proposed project will not have a negative impact on existing property values.

On the question:	4 voting “Aye”	0 voting “Nay”	Carried
	Trustee Hartung		
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

Moved by Trustee Hartung, seconded by Trustee Even to accept the minutes of September 22, 2025 and Special Session, October 6, 2025 as presented.

On the question:	4 voting “Aye”	0 voting “Nay”	Carried
	Trustee Hartung		
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

Moved by Trustee Hartung, seconded by Trustee Even that vouchers numbering 7927 to 7953 in Batch #276 of fiscal year 2025-2026 in the amount of \$119,233.53, and vouchers numbering 7954 to 7989 in Batch #277 of fiscal year 2025-2026 in the amount of \$281,163.94 be paid as presented.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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There were no comments from the floor of items not on the agenda.

Moved by Trustee Hartung, seconded by Trustee Even that the reports of the Village Justice, Village Associate Justice, Water Department and Treasurer for the month of September be received and filed.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Code Enforcement Officer Gullo had nothing to report.

Manager of Public Works Wittmeyer reminded residents that the DPW is continuing leaf and brush collection. He asked that leaves are kept in a separate pile from brush to help crews move along faster.

Trustee Hartung asked everyone to use extra caution and slow down on the roads this Friday. There will be a lot of kids out for Halloween and with the time change on Sunday it will be getting darker earlier in the evening. He also mentioned that there have been requests for re-striping of crosswalks. The DPW will continue striping as weather permits.

Trustee Pyne has nothing to report and wished everyone a Happy Halloween.

Trustee Even stated that the Village Board received a memorandum from the Town of Orchard Park regarding a letter that was received from a resident on September 7th who was unhappy that the Buffalo Bills flags were not displayed. Trustee Even noted that the Village fully supports the Bills and purchases those flags at retail. The Village Board feels it's very important to honor our Veterans, therefore the Veteran banners and flags will be displayed through September 11th. After September 11th the flags will then be changed over to the Buffalo Bills.

Trustee Popek apologized for being unable to attend the Special Session meeting on October 6th. She also announced that trick-or-treating for Halloween in the Village will take place from 6:00-8:00 pm on Friday, October 31st.

Clerk-Treasurer Richeal reminded residents that Friday, October 31st is the final day to pay Village taxes. Any remaining unpaid taxes will be re-levied to Erie County on November 1st.

Mayor Clinton had nothing to report.

Moved by Trustee Popek, seconded by Trustee Even that;

WHEREAS, the Village of Orchard Park Board of Trustees has previously designated December 24, 2025, as an observed holiday for Village employees; and

WHEREAS, in recognition of operational needs and to better accommodate holiday scheduling, the Village Board deems it appropriate to adjust the observed holiday date;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Orchard Park Board of Trustees hereby designates Friday, December 26, 2025, as the observed holiday in place of Wednesday, December 24, 2025; and

BE IT FURTHER RESOLVED, that Village offices shall be closed on December 26, 2025, in observance of the holiday, and shall remain open on December 24, 2025; and

BE IT FURTHER RESOLVED, that notice of this adjustment be provided to all Village departments and posted accordingly.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Pyne, seconded by Trustee Hartung that a public hearing be scheduled and advertised for November 10, 2025 at 7:00 pm to review a Special Use application at 4211 North Buffalo Street, SBL #162.17-2-18.1. The applicant is requesting permission to operate an eating and drinking establishment.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Even, seconded by Trustee Popek that a public hearing be scheduled and advertised for November 10, 2025 at 7:00 pm to hear public comment on a Special Use Application by Greene Quaker Home, LLC to establish a short-term rental at 6883 East Quaker Street, SBL #162.18-1-32.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Hartung, seconded by Trustee Pyne that a public hearing be scheduled and advertised for November 10, 2025 at 7:00 pm to hear public comment on a Special Use Application by 32 & 36 Linwood, LLC to establish a short-term rental at 4240 North Buffalo Street, SBL #162.17-1-12.1.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Popek, seconded by Trustee Even that a public hearing be scheduled and advertised for November 10, 2025 at 7:00 pm to hear public comment on a Special Use Application by 32 & 36 Linwood, LLC to establish a short-term rental at 4254 North Buffalo Street, SBL #162.17-1-13.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Pyne, seconded by Trustee Hartung that a public hearing be scheduled and advertised for November 10, 2025 at 7:00 pm to hear public comment on a Special Use Application by DI-BAM, LLC to establish a short-term rental at 6572 East Quaker Street, SBL #162.17-2-5.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
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Trustee Hartung
 Trustee Pyne
 Trustee Even
 Trustee Popek

Moved by Trustee Popek, seconded by Trustee Even that a Capital Project be established for the replacement of the Park Place watermain, and that a project budget be established in the amount of \$280,000, funded by \$80,000 from the Water Reserve and \$200,000 from the General Fund.

On the question: 4 voting “Aye” 0 voting “Nay” Carried
 Trustee Hartung
 Trustee Pyne
 Trustee Even
 Trustee Popek

Moved by Trustee Hartung, seconded by Trustee Pyne that the following budget adjustments be authorized for fiscal year 2025-2026:

Establish budget for Capital Project Park Place Waterline :
 Park Place Waterline Replacement Contractual Expense (HH-68397-206) \$280,000
 Increase Capital Revenues –
 Transfer from General by \$200,000
 Transfer from Water Reserve \$80,000
 Increase General Expense – Transfer to Capital by \$200,000
 offset by use of General Fund Balance

Increase budget for
 Celebrations Payroll Expense (AA-67550-100) \$814.86
 Public Safety Expense (AA-63011-400) \$20,200
 Special Assessments Revenue (AA-41028-000) \$20,200

Decrease budget for
 Equipment (AA-61325-200) \$814.86

On the question: 4 voting “Aye” 0 voting “Nay” Carried
 Trustee Hartung
 Trustee Pyne
 Trustee Even
 Trustee Popek

Moved by Trustee Even, seconded by Trustee Popek to authorize an expenditure from the Water Reserve, not to exceed \$80,000 for the Park Place Watermain Replacement Project, is subject to permissive referendum.

On the question: 4 voting “Aye” 0 voting “Nay” Carried
Trustee Hartung
Trustee Pyne
Trustee Even
Trustee Popek

Moved by Trustee Hartung, seconded by Trustee Pyne authorizing Mayor Clinton to sign a Special Event Contract with OP Village Plaza, LLC for a Holiday Market on December 6, 2025 from 11:00 am-3:00 pm pending submittal of market vendor and layout map, Orchard Park Police, Village of Orchard Park Code Enforcement and Village of Orchard Park Department of Public Works approval.

On the question: 4 voting “Aye” 0 voting “Nay” Carried
Trustee Hartung
Trustee Pyne
Trustee Even
Trustee Popek

The next regular meeting is scheduled for November 10, 2025.

Moved by Trustee Hartung, seconded by Trustee Even to adjourn at 7:20 p.m.

On the question: 4 voting “Aye” 0 voting “Nay” Carried
Trustee Hartung
Trustee Pyne
Trustee Even
Trustee Popek

Respectfully submitted,

Heather Tucciarone-Richeal, Village Clerk-Treasurer